IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 1351 OF 2005
IN
EXECUTION APPLICATION (L) NO. 339 OF 2005

Payal Telefilms Pvt.Ltd. ..Applicant.

V/s.

Reminiscent India Television Ltd. & Ors...Defendants.

None for plaintiff.

Mr.Navin Parekh for defendant.

...

Ms.Alpana Ghone i/b Kanga & Co. for plaintiffs.

Ms.Lambey i/b Lambey & co. for defendant No.1.

Ms.Kavita Shah for respondent No.2.

CORAM: A.M.KHANWILKAR,J

DATE : OCTOBER 25, 2005.

P.C. :

1. None appears for applicant. Dismissed for non-prosecution.

2. Later on, at 3 p.m. counsel for the applicant appears and prays for restoration of the chamber summons to the file to its original number. Counsel for the respondent is present in the court and has no objection for restoring the chamber summons to be heard on merit. Accordingly, the order dismissing the chamber summons is recalled and

chamber summons is restored to file to its original number.

3. In so far as merits is concerned, issue in this chamber summons is squarely answered in the order passed yesterday in Companion Chamber summons No.1124 of 2005. Accordingly, for the same reasons, the respondent is directed to refrain from paying sum of Rs.37,79,179.18 out of the sum of Rs.2,45,00,000/- payable by the respondent No.2 to Respondent No.1 or any person claiming through or under respondent No.1 arising from the obligations under the Registered Sale Deed dated 27th April, 2005. Instead, that amount shall be deposited in this court.

4. Ordered accordingly.